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ABSTRACT

The purpose of this booklet is to disseminate limited-circulation papers relating to value proposition debating (nonpolicy argument). The six papers provide information on the following topics: the theoretical implications of debating nonpolicy propositions, criteria for evaluating nonpolicy argument, situationally guided standards for evaluating propositions of judgment, the use of the hypothesis-testing paradigm to establish presumption in value proposition debate, advocacy and values, and a pragmatic approach to value proposition debate. (FL)

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PERSPECTIVES ON NON-POLICY ARGUMENT

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Cross Examination Debate Association
1980

Editor's Note

During the past few years I have frequently been approached by coaches and students asking, "Where can I get information about debating value propositions?" My response was usually limited to mentioning one or two journal articles. Though I was aware that several convention programs had addressed the topic of value debating, or non-policy argument, I was unfamiliar with that literature. The distribution of the convention papers beyond the meeting rooms had been minimal.

The intent of this booklet is to correct that situation, to disseminate convention papers and limited-publication articles relating to non-policy argument, not to prescribe the practices appropriate to debating non-policy propositions. The references that accompany the papers may also indicate other valuable print resources that are more readily available. The assistance of Bill Henderson, Robert Trapp, Jan Vasilius and David Zarefsky in accumulating the papers for this effort has been greatly appreciated.

Don Brownlee

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THEORETICAL IMPLICATIONS OF DEBATING NON-POLICY PROPOSITIONS

Bill Henderson
University of Houston

C. Wright Mills spoke of what must eventually occur when advocates ultimately disagree about values: "In the end, if the end comes, we just have to beat those who disagree with us over the head; let us hope the end comes seldom. In the meantime, being as reasonable as we are able to be, we ought all to argue." (Mills, 77)

Debating non-policy propositions is a time worn topic. Two members of this panel addressed themselves to this subject in last year's Western Speech Communication Association convention. Indeed, we panelists are time-worn. Three of us were on a panel at this year's WSCA, and I have worked for more years then either of us would care to remember with the other panelist. However, since the prospects of our actually debating non-policy propositions seem to be increasingly yearly, the subject should be discussed.

This paper makes certain preliminary observations, treats three probable theoretical implications which would result from debating a non-policy proposition, and closes with several suggestions.

PRELIMINARY OBSERVATIONS

The proposition selected for debate by our colleges and universities in 1977-78 is a non-policy proposition. The same statement could be made about any proposition, as all of you realize. Giving greater freedom in the investigation and/or prosecution of felony crime to our law enforcement agencies is

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Delivered at Speech Communication Association Convention
Washington, D.C., December 2, 1977.

interpreted by our debaters and judges as a policy question. Clearly, the framers of this proposition intended that it be a policy question, for "our parameters tell us so." But were we to focus on the values entailed, and argue about them, rather than the implimentation of the policy, we would have a non-policy proposition.

To illustrate the above assertion, I would ask you to consider a few of the ultimate questions we are asked to resolve this year. Consider first: Which is more important, individual privacy or fair trial (in cases relating to rape)? Consider second: Which is most valued, familial or child rights (in cases relating to child abuse)? Consider third: Which is a more basic right, the Fifth Amendment or the Sixth Amendment (in cases relating to polygraphs and police brutality)? Clearly, each represents an ultimate appeal to a basic value as being superior to other values.

The resolution of the subordinate issues leading to the ultimate question posed by a debate resolution frequently rests upon the viewpoint of the participants to the dispute, as well as the viewpoint of the adjudicator. Since debaters and judges view the 1977-78 proposition as a question of policy, few debates will be held this year wherein the proposition could properly be called a non-policy proposition. But given a different focus?

A second preliminary observation is that, while almost any proposition may be perceived as being a non-policy proposition, the reverse is also true. Last year, David Zarefsky referred to a high school topic debated by Jimmy Carter: "Resolved: That Gone With the Wind is pure trash." (Zarefsky, 6) To measure the trashiness of the book would require, for certain policy makers, the establishment of a self-perpetuating board.

Once these two contrasting observations are made, we begin to see the primary theoretical implication which I would submit will occur when one

debates a non-policy proposition: the perception of the advocates and the adjudicator must shift from the policy to the problem.

Before moving into a discussion of the three primary shifts which I perceive, several additional comments are necessary. First although there is merit in classification of the various non-policy propositions into types, I suspect this must remain the task of others. Zarefsky's aforementioned WSCA paper made notable effort in this direction. Second, the distinction made by Ziegelmuller and Dause relating to propositions of judgment as contrasted to propositions of policy (Ziegelmuller and Dause, 14-15) seem much more appropriate than the traditional set of fact/value/policy. Finally, although undeveloped herein, this writer suspects that much of the philosophical pairing concepts developed by Chaim Perelman in The New Rhetoric would apply in effective argument on non-policy propositions.

THREE THEORETICAL IMPLICATIONS

With apologies toward none, and in hopes that my message through humor may be clearer, I provide you with a quick visit to the movies. After all, Bernie Brock always said he liked the way I wrote, even if he didn't agree with what I had to say. Assume if you will, that you've somehow been trapped into viewing a triple feature at your neighborhood theatre. You must take some old with the new; some good with the bad. After purchasing popcorn and cokes for the kids (and yourself) you take your seat. The first film begins.

EASY RIDER or DONN'S EASY SPREADERS

In the 60s, debate became a contest in quantity. Debaters at the University of Kansas acquired a reputation based upon their ability to discover the shortest and best pieces of evidence (5 easy pieces?) to prove sub-sets of their arguments. As a result, Professor Parson's debaters won a lot of debates. Clearly, there

were other causes for these successes, but let us focus upon this cause for a while.

When one debates a policy, the central questions relate to the existence of a problem, the mechanisms by which the present system can treat that problem, and the potential of the resolutional change. By the introduction of a large number of supported assertions, each providing independent support for the larger claim, affirmative teams were able to introduce enough different arguments to make direct refutation impractical. To further complicate the situation, the second affirmative speakers sub-divided the arguments even more, introducing vast quantities of additional data used as support for the further-divided arguments. The result? Rebuttalists found themselves relying upon a new set of cliches: "pull through that argument," "The negative dropped this argument," and the like.

Many would claim that the easy riders began their work on the negative. No matter which came first, the clash within the traditional territory of debate prior to the 60s, the case side, became so cluttered that the emphasis upon the plan seemed a relief to most of us.

But can the easy riders continue into the non-policy proposition? Not quite so easily, I suspect, at first. Spreading, when comparing the First Amendment virtue of no self-incrimination to the Fourth Amendment virtue of due process appears silly, on its face. I find a second reason which would tend to make easy riding a little more difficult.

Thomas R. Nilson, in an essay included in Perspectives on Argumentation (Miller, 180) identifies the difficult path which must be followed when one argues a value:

> When we consider the physical, intellectual, and emotional variations among people, the complexity of human relationships in an interpersonal and a wider social sense, the dependence of men for their development on

> numerous and highly organized institutions, we realize how very difficult it is to judge with any accuracy the effect of a particular act or course of action on the human beings involved. This is true of judgments about argumentation as well as other human acts. The difficulty of the judgment, however, does not reduce the obligation to make it.

The debater engaging in non-policy propositions will be tempted to return to the easy spreading of the mid-sixties. But the complexity of the issues generated may well create the self-regulatory feature necessary to prevent the activity.

The first feature film ends, and as the title of the second film appears, we know we are able to be treated with a chilling movie with a fading star.

WHATEVER HAPPENED TO BABY JIM?

Jim Unger was a champion college debater. After a few years at Boston College, he moved to Georgetown University, and took the nation by storm. A creature of the sixties, he discovered a niche generally untouched by his peers, the plan. Seeing the plan as the weak affirmative link, he taught his debaters to hatchet away at solvency, chop down the advantages by introduction of massive disadvantages, and choked off his opposition by developing circumvention arguments.

And Professor Unger did not stop with work destroying the negative. By careful detail piled upon careful detail, his affirmative plans became China-doll-like in their perfection. Preserved to view by all, these plans withstood the opponent's attacks well enough to generate an enviable record of tournament wins for Georgetown University.

But the most important contribution, to this writer, made by Jim Unger is the judge paradigm, "the policy-maker." Jingoism notwithstanding, the legislative model for the adjudicator is clearly the most popular one used in tournaments today. Few would dispute the claim that the fading debate star of the sixties is none other than the old policy-maker, Baby Jim.

Can a policy-maker be a non-policy maker? Probably. But should she? I think not. As my friend David Zarefsky said last year about this, "the metaphor of debate as administrative or legislative policy-making will not do, and it makes no sense to regard the judge as a policy-maker, rational or otherwise." (Zarefsky, 2)

When we debate non-policy propositions we may be rational decision-makers, value-choosers, or some other descriptor; but we will still consider the policies implied or expressed by our judgments. As noted early in this paper, the focus shifts, but the arguments remain.

Whatever happened to baby Jim when we began debating non-policy questions? He began to focus on new questions, and thereby invented new strategies, just as that easy rider, Donn has done.

Finally, an intermission. Triple features need them. But now it is time for the third film. The future epitomized.

STAR WARS or U.S.C. and J F.K.

As implied in the observation section of this paper, this year's debate resolution can be viewed as a non-policy proposition. One of John DeBross' returning national finalists presented a future-oriented case early this year, probably based upon a value judgment; that the truth is more important to the American public than peace of mind. The case argued that the assassination of John F. Kennedy should be re-investigated.

The clash between good and evil, the pure and the contaminated, and the salvation of all that could be good in the empire observed in Star Wars merely exaggerates the basic approach attempted by these young stars at U. S. C.

Clearly, attempts of their opponents to develop substantive disadvantages to this search for the truth met with little success. But this approach is not the only attempt to make a value the center of the argument on this year's proposition.

The stars of the South, Wake Forest, are in constillation with those north-eastern stars, Dartmouth. Each claims that since no gain in justice exists by introducing prior sexual history into a rape trial, another value should prevail, the right to privacy.

But where is The Force? I suspect that the august body of the topic wording committee might be their representatives. I also suppose that, were we to recapture the Spirit of Sedalia, we might discover the central body of The Force.

Today, debaters employ terms like "process advantage" to describe that which can not be qualified, but which can clearly be identified as a "good" way of doing something. It is my judgment that these process advantages may serve as the transitional arguments for debaters who move from "policy" to "non-policy" propositions.

Professor Nobles defines the type for us in a new publication:

> Propositions of judgment call only for belief; they describe or evaluate the external world. In their descriptive function they may inquire whether something was, is, or will be "so." In evaluative propositions of judgment debaters assign opposing values to a person, object, event, or idea. (Ehninger and Brockriede, 159)

Our debaters are beginning to elaborate upon the type for us in tournament debates. The STAR WARS provide us with our future.

CLOSING SUGGESTIONS

I would begin by suggesting that the topic selection committee should consider developing propositions which could be debated as either policy or non-policy propositions. As illustrated in this paper, there is no reason to assume that a single resolution could not be defended from either perspective. Clearly, an affirmative team would be obligated to defend the stance chosen, and the negative expected to clash with that position. The burden upon the adjudicators would be no greater than that expected of the classroom teacher of argumentation.

My second suggestion relates to the modification of terminology, as suggested herein by reference to the texts of Ziegelmueller and Dause and Ehninger and Brockriede. Resolution of this particular problem might lead to modification of the legislative model commitment which could seriously limit effective non-policy debate.

Finally, I would suggest that those of us who have watched the decline of debate as a large group activity on our campuses might consider the potential of non-policy debate in attracting additional participants. I have no doubt that many students in my argumentation classes would enjoy participation in tournaments. A proposition of judgment would lend itself, I suspect, to generic arguments which would allow broader participation from the classroom into the tournament.

The theoretical implications of debating non-policy propositions are many. Three which I have considered are the reduction in the number of lines used in a debate round, a change in the primary judging paradigm, and an emphasis upon philosophical issues as the ultimate question posed by the proposition.

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CRITERIA FOR EVALUATING NON-POLICY ARGUMENT

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The conferees at Sedalia two years ago urged, as one of their 64 formal resolutions, that a variety of propositions should be used in academic debate, including the occasional use of propositions which did not call for a change in policy.[1] Two assumptions underlay this resolution. First, it was believed that a reciprocal relationship exists between argumentation theory and practice. Theories are implemented in practice, but they also are generated in response to practical problems and needs. Second, it was feared that an almost exclusive concern with propositions of policy had rendered both argumentation theory and practice dangerously parochial. After all, people participate in many sorts of argumentative encounters other than public policy decision making--judicial argument, scientific and historical arguments, aesthetic and critical arguments, philosophical and theological arguments, and others. Yet argumentation theory and practice seem confined to the deliberative situation, with its key question, "What should we do?"

Presumably in response to the Sedalia resolution, the Committee on Intercollegiate Debate and Discussion included one non-policy proposition on the 1976-77 ballot; it placed second in the final vote. I do not know whether these results bespeak widespread interest in non-policy propositions, attraction to the subject area of law enforcement, or disgust with the policy propositions which Professor Callaway and his colleagues offered as alternatives. But they do suggest that a consideration of theoretical issues involved in non-policy propositions is of more than hypothetical relevance to intercollegiate forensics. If this discussion suggests appropriate reference points, then we

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Presented at the Western Speech Communication Association Convention, San Francisco, California, November 24, 1976

may see greater willingness to debate non-policy questions. If not, well, it only proves my point that practice in non-policy argument is needed to sharpen our theory!

My task is to discuss criteria for judging non-policy argument. At the outset I must say a word about the role of the judge. To state the obvious, the metaphor of debate as administrative or legislative policy-making will not do, and it makes no sense to regard the judge as a "policy-maker," rational or otherwise. The implications of abandoning this metaphor, and some possible substitutes for it, are topics which I reluctantly leave to Professor Trapp--with the proviso that I may return to them during the discussion period. But I mention the subject now to stress that this "policy-making" metaphor gives us one set of specific answers to the general question, "What constitutes good reasons for affirming a proposition?" I use the term "good reasons" as did the late Professor Karl Wallace, to refer to reasons which are psychologically compelling for a given audience, which make further inquiry both unnecessary and redundant--hence justifying a decision to affirm or to reject a proposition.[2] Now policy questions give us a set of commonly-accepted good reasons: a cost-benefit standard, according to which advantages must exceed disadvantages; a focus on unique advantages and disadvantages; a widespread belief that the preservation of human life is among the most substantial of advantages, and so forth. Is it possible to specify, in a similar fashion, the "good reasons" for affirming or negating a non-policy proposition?

To do so we must recognize that there are many different types of non-policy propositions. I'd like to consider five types. I don't claim that these categories are exhaustive or mutually exclusive, but they make convenient divisions for the moment.

(1) First is what I would label the quasi-policy proposition. It does not advocate a specific plan of action, yet one is implicit within the statement of the proposition. It would be difficult to defend the proposition, "Resolved:

That federal financing of abortion is immoral," without simultaneously advocating that such payments should cease. The law-enforcement proposition on the 1976-77 intercollegiate ballot is an illustration of this type. It implicitly called for reversal of certain decisions of the Supreme Court.

This propositional type would entail the smallest deviation from criteria for judging policy propositions of any that I will discuss. The major change would occur in what we customarily think of as "plan objections." I am sure that Professor Rhodes will address this issue in detail, so let me say simply that plan arguments could not concern themselves with mechanics of a plan-- a particular finance, enforcement, or administrative mechanism, for instance. Instead, arguments would be generic in nature, applying to any plan embodying the principle implicit in the proposition.

It is possible that the emphasis of principle over mechanics would affect other judging criteria as well. For instance, the resolution might be affirmed by pointing to deficiencies in the principles underlying a given policy, rather than focusing primarily on the effects of the policy--in particular the quantitative effects. One might define excessive restriction on law enforcement by reference to some fundamental principle. On the other hand, one might say that the police are overly restricted if too many guilty people go free, and then argue about the number who do.

In either case, however, this sort of proposition would be judged according to two grounds: (a) What are the criteria for describing reality in the manner stated by the proposition? (b)Are these criteria satisfied?

(2) A second type of proposition is that of historical or scientific argument. In either argumentative situation, the question is one of what meaning to give to phenomena. The historian attempts to interpret events within the framework of some explanation; the scientist, to interpret phenomena by reference to some theoretical

structure. The underlying question is: Does experience mean this - and - so, or not? Most of the propositions used last year in the Bicentennial Youth Debates program are of this type; one example might be "Resolved: That the metaphor of America as a 'melting pot' is an historical fiction."

In judging debate on such a proposition, one first must determine the grounds on which he will find it to be true. Principles of historical and scientific generalizations should supply many of the grounds, such as: Is it consistent with the facts? Is it consistent with other known data? Are there a significant number of counter-examples? If so, how might the theory explain them? Is it relatively parsimonious? and so forth.

Once agreement is reached on what the grounds for judgment are, the other main judging question is whether the proposition satisfies the given criteria. Of course, here the issue would be whether the theory's proponent or antagonist is better able to convince an audience that his view is the more coherent, complete, simple, or whatever the criteria may be. Each advocate would attempt this task using argumentative techniques with which we are quite familiar. I would suspect, however, that argument from example would receive especially great prominence.

(3) Conflicts between or among values. This type of argument concerns hierarchy, the relative merit of values which are in conflict. It seems to me to characterize much of philosophical or theological argument. An example of such a proposition is, "Resolved: That the right to justice is more important than the right to property." Those of you who have judged intercollegiate debates recently in all probability have been in rounds in which the implicit proposition was, "Resolved: That human life is more important than human freedom."

Two stages are involved in judging such an argument. First, a decision rule must be determined. That is, the judge must adjudicate between competing views of how the main question should be decided. For instance, one might argue that the

decision should go to whichever value maximizes some other, agreed-upon value: Is life or liberty more conducive to happiness? Or one might maintain that the decision should favor the one value which subsumes the other: justice is a necessary condition for property rights, or vice versa. Or one value might be preferred if it could be shown to have more desirable consequences: Infringing the right to property would provoke civil war; hence it is undesirable. Or an argument from definition might be the grounds on which to support one value: It is only the capacity for freedom which makes human life more valuable than that of other animals. The point is that each advocate, explicitly or implicitly, will urge a decision rule. The judge must decide which decision rule makes more sense, on the basis of the arguments offered for it. Having done so, he then must apply the decision rule. For instance, if he determines that the decision rule is "maximization of happiness," then he must proceed to adjudicate the question, "Which value has been shown to maximize happiness?" It should go without saying, of course, that the judge determines neither the decision rule nor its application on the basis of whim or personal prejudice, but on the basis of the arguments which are presented to him.

(4) A fourth type of non-policy proposition is one which concerns whether or not to bestow a given value judgment on an object, event, person, or act. Here the question is not the relative ordering of values, but whether or not a particular value is appropriate to characterize a given object. Most arguments within the fields of aesthetics and criticism, I think, involve propositions of this type. One example would be the topic reportedly debated by the President-elect when in high school: "Resolved: That Gone With the Wind is pure trash." The question, you see, is whether "pure trash" is an appropriate characterization of the critical object.

To judge an argument such as might occur between literary or dramatic critics, one first must adjudicate the question of criteria. How would one know "pure trash" when he saw it? What conditions would justify the affirmation of the proposition? Competing advocates either would agree upon criteria or would present alternative criteria for a decision by the adjudicator. Once the criteria are determined, the second basis for judgment is whether or not the object in question satisfies the criteria. If "pure trash" is seen as sentiment, contrived plot, and lack of verisimilitude, then the question is whether, on balance, Gone With the Wind displays these qualities.

Incidentally, while I have focused on aesthetics and criticism, this sort of argument also has many applications in law. The relevance of disputes about the nature of obscenity should be obvious. There are several other areas, I suspect, in which invoking a legal definition involves bestowing a value judgment, as well.

(5) Finally, I want to mention what I call the proposition of quasi-fact. Many of us have learned that propositions of fact are not really debatable. Why argue the question, "Resolved: The outdoor temperature is 60 degrees Fahrenheit," when one can look at a thermometer and see? Or, as Wendell Johnson would have advised the disputants in the question of how many angels could dance on the head of a pin, "Bring me the pin and the angels and we'll see."

I fear, though, that we have been misled by the examples of factual propositions into thinking that no proposition of fact is debatable. But many are. For one thing, many seemingly factual statements are in reality questions of classification, much like the argumentative type I described a moment ago. "Resolved: That the two-party system is dying in America," appears to be a statement of fact, yet actually turns on the questions, "What would make death an appropriate characterization of the two-party system?" and "Are these conditions satisfied?" Moreover, determining what would qualify as supporting evidence for a

factual statement seldom is automatic. The proposition, "Resolved: That Jimmy Carter received stronger political support than Gerald Ford," raises many questions about what would constitute support: number of votes, intensity of partisan feeling, independence of voters, positive affect, or what? Of course, this proposition could be rewritten to avoid this ambiguity. But my point is that we frequently encouter factual claims which have not been "cleaned up" and we must determine what would constitute support for the claim and whether those conditions are fulfilled.

You may have noticed two recurring criteria for judgment throughout this discussion. First, each type of non-policy question requires judgment on the standards or criteria for decision--the decision rule. The means of resolving the dispute are themselves subject to argument. Second, a judgment must be made as to whether the circumstances in question satisfy the conditions stipulated in the decision rule.

In passing, I would note that these same two criteria apply to policy propositions as well; they really are not so different. But we don't notice the criteria because, as I've said, there exists a fairly broad consensus as to both the decision rules and the process by which one demonstrates their applicability. The debate then becomes a forum for the production of evidence and argument to satisfy these consensually validated standards. In focusing on policy questions, however, we may have developed a "trained incapacity" to adjudicate other types of claims.

This situation is hardly unique to forensics. My colleagues in management are far more advanced in what they call the "policy sciences" than are those in history, philosophy, and literature in discussing controversial questions in those fields. As a society, we pay the price for being able to make only certain types of decisions with sophisticated intelligence.

If I sound like an advocate for the non-policy proposition, I readily confess. I think our theories of argument would be given greater validity and wider utility by grappling with issues such as the nature of presumption and burden of proof, the responsibilities of the advocates, the role of the judge, and the nature of "good reasons" in the context of non-policy propositions. And I think our students would be far better prepared to understand and to apply the argumentative perspective to the wider range of settings in which human beings must make choices under conditions of uncertainty.

NOTES

[1] Forensics as Communication: The Argumentative Perspective, ed. James H. McBath (Skokie, Ill.: National Textbook Company, 1975), p. 29.

[2] Karl R. Wallace, "The Substance of Rhetoric: Good Reasons," Quarterly Journal of Speech 49 (1963), 239-249. See also, generally, P.H. Nowell-Smith, Ethics (Baltimore: Penguin Books, 1954).

A SITUATIONALLY-GUIDED PERSPECTIVE FOR PROPOSITIONS OF JUDGEMENT

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Academic debate is usually evaluated by a strange combination of rule-guided and situationally-guided standards. By rule-guided standards, I am referring to rules which debate coaches consider wise for pragmatic or pedagogical reason. Situationally-guided standards refer to guidelines which are derived from real-world argumentative situations. I believe that a combination of rule-guided and situationally-guided standards inherently leads to confusion. Confusion also results when guidelines are derived from a variety of argumentative situations rather than a single situation. In this essay I will attempt to show how such confusion has occurred in our theories of arguing about propostions of policy and recommend a different course of action for formulating theories concerning propositions of judgement.

Situationally-guided standards derive from an analogy between policy debate and policy-making. This analogy is not a radical or difficult one to accept. One of the more traditional textbooks on argumentation states that:

> If there is any analogy between academic debate and other kinds, it is between debate and that carried on in expert administrative and legislative government committees, before those whose training and specialized experience gives them superiority in technical aspects of the problem.[1]

The value of applying real argumentative situations to academic debate is that it emphasizes sound reason giving. Griffin and Linkugel wrote that:

> In the tournament debate situation we are training future junior executives, sales managers, high school superintendents, etc., to be able to go before their boards of directors, school boards, or whatever their decision-making group may be, and effectively advocate a proposal. Such policy forming groups are much more interested in solid reasons backed up by specific evidence than they are by a boyish smile, human interest stories, after-dinner jokes, or dramatic innuendoes.[2]

In a similar vein, Wayne C. Booth has written that "We need scholars of rhetoric who are willing to dirty their hands in actual controversy."3 The concept of an intelligent and well-informed audience was also endorsed by philosopher Chaim Perlman stating that "we have no wish to limit the study of argumentation to a public ignoramuses,"[4]

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That the analogy between policy argument and policy-making is a reasonable one is evidenced by a growing body of literature. From the point of view of academic debate as a simulation of policy-making, Lichtman and Rohrer offer an extended analysis of decision rules used to replace the traditional concepts of presumption and burden of proof.[5] Their article cites a body of literature in the area of public policy-making to refute the traditional viewpoints concerning presumption and burden of proof. Another rather detailed analysis of comparative advantages debate in the framework of policy making is presented by Bernard L. Brock, et. al. In addition to these works, several other papers and articles explore general systems theory as applied to current academic debate practices.[7] Recent textbooks in argumentation also consider general systems theory as one method of public policy analysis.[8]

Further evidence supports the acceptance of this analogy by a majority of debate judges. At the 1974 National Debate Tournament at the United States Air Force Academy, a Booklet of Judges was distributed for use of N. D. T. participants. One of the questions asked was "Do you see yourself as a chooser of policy systems, as a judge of 'who did the better debating,' or in some other role as judge?" A total of eighty-four coaches and guest judges published their judging philosophies in this booklet. One compilation of these philosophies indicates the "The predominant (42.9 percent) orientation viewed the debate process essentially as a 'comparison of alternate policy systems' and the judge as one who makes a policy decision."[10]

That most judges accept the analogy of policy argument and policy-making does not prove that they share a common point of view concerning gudielines which derive from this situation. Balthrop argues that the citizen, the legislator, and the bureaucrat function differently as evaluators of policy.[11] Specifically he writes that:

> To identify one as a 'policy-maker', however, is insufficient since the characteristic behaviors associated with such a description are so vague and all-inclusive as to be virtually meaningless. Only by creating a more specific role model predicated upon policy-making within the political system -- for such is the realm of public policy-maker -- can the debate judge define boundaries and guidelines for appropriate behavior.[12]

As a matter of fact, one could probably make the case that there are as many different descriptions of the "rational policy-maker" as of debate judges. Within the general paradigm of argument as policy-making, there is still a need to determine more specific guidelines which are appropriate to specific types of policy-making situations.

Implicit in the analogy of policy-making and policy argument is the notion that the judge in policy debate performs a role similar to that of the policy-maker. It is important to emphasize that this does not in any way imply that the debate judge is a policy-maker. References to the debate judge as a "rational policy-maker" are but figures of speech. Balthrop eloquently summarized this position arguing that:

> Debate judges are not policy makers and it is absurd to caricature their profession by envisioning themselves as such. Instead, debate judges are participants in a process, a system if one prefers, which has as its purpose educating students in the understanding and use of argument.[13]

The policy-making paradigm is useful because it transforms debate judges into something which they are not, but because it provides a look at a realistic argumentative situation from which guidelines from argument can be drawn. Standards of argument which are derived from this situation typify a situationally-guided perspective for argument. In order to determine proper guidelines for debating propositions of judgement, one alternative would be to derive such guidelines from realistic argumentative situations in which propositions of judgement are debated.

Our second alternative is to consider academic debate to be a "closed system" and allow our argumentative standards to be rule-guided. The rule-guided approach was explained by Charles Willard writing that:

> Academic debate is a "game" in the most rigorous sense of that term. Competing teams seek favorable decisions from neutral judges through the use of oral argument. The argumentation occurs in an artificial context which is defined by certain rules and traditions which are designed to enhance the educational benefits of the game. In theory, the game teaches research skills, rhetorical criticism, resource evaluation, and oral delivery skills. These skills are theoretically sharpened as the disputants are forced to operate within the parameters of the game's rules--rules which are brought into practical application by the critic.[14]

Sanders has stated his desire to see a set of codified rules determine the outcome of academic debate in even more forceful language. He said:

> Earlier I mentioned argumentation was a rule-guided process. Perhaps that phrase should be modified to make argumentation a rule-bound process. Then debate would not become a surprise package or a grab bag where we reward the team with the most radical approach.[15]

A variety of arguments are advanced to support the rule-guided perspective. First, argumentation is inherently guided by a set of agreed upon rules. This is the position taken by Sanders in his response to Lichtman and Rohrer writing that:

> To begin with, argumentation is a ruled-guided process. Indeed, the very concept of a theory implies that codifiable rules are available and capable of being discerned and utilized. Consequently, competitive debate, the practical arena of argumentation theory, has certain rules and burdens which are accepted by all parties before argument begins.[16]

The flaws in this position are numerous. In the first place, rules are not necessary in order to have productive argumentation. Rules derive from argumentative situations, rather than being a necessary precondition for argument. Notions such as presumption and inherency need not be viewed as hard and fast rules, but concepts derived from argumentation in decision-making situations. Certainly argument occurs in many realistic situations without the use of a set of codified rules. In the second place, there is not to my knowledge, a set of codified "rules of debate." The examples that Sanders selected are cases in point. He writes that:

> Areas as simple as "reasonable" definition of the resolution and as complex and sophisticated as "inherency" are concepts which, in theory, are well discussed and which, in practice, are bound by rules agreed upon by all.[17]

While these areas are indeed well discussed, numerous articles and papers testify to the considerable disagreement on the issue of topicality or "reasonable definition of the proposition."[12] In November of 1975, Professors W. Scott Nobles and Lucy M. Keele participated in an informal debate entitled "The Spirit of the Proposition: Alive or Dead" at the W.S.C.A. Convention in Seattle. Those who listened to that event were convinced that the issue of "reasonable" definition is neither simple nor agreed upon by all. Similarly, with the issue of inherency, the numerous articles on this subject should indicate that this is an area which is not governed by rules.[19]

A second argument used to support the rule-guided perspective is that it is demanded by the format and time constraints of academic debate. This argument concludes that in order to adapt what would normally be lengthy and complex arguments to the format and time constraints of academic debate, certain compromises with reality must be endured. Professor William Reynolds wrote at the time of the National Development Conference on Forensics that:

> For obvious reasons, academic debate never can perfectly duplicate the environment in which argumentation occurs in the real world of people and affairs. Ultimately, its time limits and formats must be constructed and set artificially; severe limitations must be accepted in the composition and behavior of audiences; and the motivational factors that excite the student advocate must remain quite different from those that stimulate advocacy in the real world. Regardless of form, academic debate must operate within a more or less closed system, governed by its own rules and procedures.[20]

While this argument seems more compelling than the previous one, it too seems flawed. First, argumentation theory should not be distorted by the type of tradition involved in preserving a particular debate format. Has the debate format become so sacrosanct that it dictates the type of arguments that are and are not valid? If real world argument cannot be made to fit into our debate format, perhaps we should consider changes in the format so that it will accomodate "real world" argument rather than distort argumentation to fit our

tidy format. Secondly, it is not proven that rules have been devised which can maximize the effective use of the time and format. One of the more common rules imposed by some judges is that each team is limited to the defense of one and only one policy system. James J. Under of Georgetown University wrote in his judging philosophy that:

> I say that I am concerned with only "two" policy systems for an essentially pragmatic reason. If we are to be restricted to one hour and twelve minutes for our discussion, then surely the most intelligent use of that period can be made by limiting the parameters under discussion. Arguments about legislative models or searches for truth seem to me to be irrelevant within the fixed time periods reality imposes. Thus I will permit the teams involved one policy system apiece--no alternative plans or hypothetical counterparts please.[21]

While the intention of such rules may be admirable, they are easily circumvented by a clever debater who presents a single proposal, plank one of which calls for sending grain abroad to save the starving millions. The clever negative defends a single policy system consisting of maintaining the present food distribution and calling for state and local governments to remove booby traps from our highways. While there may be some real differences in these strategies and the "alternative plans" and "hypotentical counterplans," I fail to see how one makes more intelligent and efficient use of the one hour and twelve minutes than the other.

Another frequently imposed rule, particularly in years past, was that the first affirmative rebuttal speaker must cover all objections to the case and plan. Is it conceivable that this well-intentioned rule was one of the factors that lead to the practice of packing a great number of arguments into the first affirmative rebuttal to put pressure on that speaker. The literature is replete with attacks on the "spread." Reynolds for example claims that:

> Violence has been done to the communicative process itself. Clarity, precision, and impressiveness in style have given way to jargon--for example, the use of such words as spread, squirrel, P.O.'s, disads, PMN's, to mention only a few--wordiness and involuted syntax. Rate in delivery has surpassed the phenomenal, destroying in the process the unique dimension of meaning that is conveyed only through the oral expression of ideas.[22]

Not only has the rule-guided perspective not made more efficient use of time and format, in some cases, rules can be used to garner an advantage from the format at the expense of the quality of the argumentation.

A third argument that is forwarded to support the rule-guided perspective is that it is pedagogically most sound. Sanders wrote that "if the arena of competitive intercollegiate debate is to function as a training ground for future advocates, then fundamental rules must be learned and followed."[23] However, in the very next sentence he states that "the competitive debate round

must be made to represent real situations as closely as possible."[24] It seems to this writer that the best way to insure that debate resembles real argumentative situations is to model the contest as closely as possible to the argumentative situation rather than to arbitrary, albeit well intentioned, rules of a closed system defined by the nation's debate coaches.

While sufficient arguments have not been forwarded to justify the rule-guided perspective to the satisfaction of at least this writer, there are several arguments which would warrant its rejection. In the first place, there is not to my knowledge a set of codified rules that are accepted by all or most critics. Given this, are we to allow each judge to determine the rules for each debate? Is s/he to be required to post the rules or somehow inform each team of his or her rules prior to each contest? Is s/her to be allowed to make up the rules as the debate, the debate season, or his or her judging career progresses? This, of course, would invite abuse of a large magnitude. Critics would be able to dismiss arguments or strategies that did not appeal to him or her as "against the rules." If this seems too exaggerated to be persuasive, one of the objections to Lichtman and Rhorer's notion that a negative team presenting a counterplan might be able to claim advantages in a problem area unrelated to that of the affirmative[25] was met by the challenge that:

> Not only is it not founded in any rational theory, but its practice would result in a confusion of the issues. There would be no standard by which a thoughtful critic could reach a decision. The example used by Lichtman and Rhorer demonstrates this point. On what basis would a critic determine the advantage over stemming the balance of payments cost and stemming Soviet aggression?[26]

His charge that their counterproposition is not founded in any rational theory may be debatable, but if there is no way to weight arguments concerning the balance of payments against the possibility of Soviet aggression, how would we ever be able to debate withdrawing U.S. troops from Western Europe? Are the President and his foreign policy advisors forced to use intuition to decide this issue? Should a judge be allowed to dismiss a counterproposition because it is "confusing" and hence "against the rules"? Many other issues are "confusing" and nevertheless legitimate. Would we say an inflation argument presented in opposition to a national health insurance proposal is illegitimate since it is difficult to compare health care with inflation? These are "confusing" questions which must nevertheless be dealt with in real argumentative situations.

In addition to the fact that the rule-guided perspective might lead to abuse since there is not, at present, a sufficient body of rules this perspective would stifle innovation and experimentation in argumentation theory. It is my position that innovations in argumentation theory result from the willingness of debaters to experiment with new ideas concerning theory. Certainly the rigorous atmosphere of an intercollegiate debate should provide an excellent laboratory for the testing of such theories. If the theories are inadequate, they will not survive these challenges. Rules, however, discourage such

experimentation by punishing those who would violate the established order. Debaters should be allowed to show how a particular concept is used in a realistic argumentative encounter and argue that it should function similarly in the world of academic debate. Sanders has argued on the other hand that:

> While new approaches have recently been employed by debater, these approaches have been primarily in method and not necessarily in violation of established theory. The body of information which constitutes the field of argumentation has been modifed only on a methodological basis and not on a theoretic one.[27]

To the contrary, examples such as Zarefsky's notions of "The Role of Causal Analysis in Policy Controversies"[28] and "Argument as Hypothesis-testing"[29] were revolutionary, certainly not a part of "established theory", and well tested by Northwestern debaters before they were put into print.

In summary, the rule-guided perspective would be one potential way to establish guidelines for arguing about propositions of judgement. Since it is not justified by arguments advanced to support it, and it risks abuse by critics and stifling the innovation in the development of argumentation theory, it is not an advisable alternative.

Our guidelines for debating propositions of policy have unfortunately been derived from some combination of rule-guided and situationally-guided standards. Quite clearly, some of the standards of judgement used by most debate judges are guidelines that they have gleaned from their knowledge of argumentation in policy-making situations while others are rules that are established quite apart from reliance on these situations. Questions concerning argumentation theory are answered differently in various argumentative situations.[30] What might be an entirely appropriate answer for an argumentative encounter in a legislative body might be different or even exactly the opposite in a scientific or philosophical encounter. Rather than developing a <u>complex</u> of ideas about counter propositions from argumentative situations, we have sought to justify our answers to <u>single questions</u> by pointing to these situations. As a result, we have produced a hodgepodge of ideas which, since they may have derived from a variety of different argumentative situations, do not fit together into any coherent whole.

One example of such confusion concerns our guidelines for counter-propositions.[31] The argument concerning the effect a counter proposition on the burden of proof in a case in point. McBurney and Mills point to the law as a model to justify their position that the negative has the burden of proof when presenting a counterproposition[32] yet they later point out that there are "differences which are worth noting" in the use of a counterproposition is argued. Thompson points to civil proceedings and to parliamentary procedure to justify his conclusion that a tie debate involving a counter-proposition should be awarded to the affirmative[34] whereas Mills points to the situation of a criminal trial to justify his conclusion that the affirmative continues to have the burden of proof on the main proposition.[35]

Some writings on the subject of the counterproposition are an exception to this rule in that they attempt to derive their guidelines from a single

argumentative situation. An article by Thompson attempted to determine the relationship of presumption to counterpropositions from the law as applied in civil proceedings.[36] Allan J. Lichtman and Danield Rohrer authored a recent controversial article in which they attempt to describe competitive and non-competitive counter propositions assuming argument which occurs in a policy-making paradigm.[37] Works of this type are a good start, but even those essays only provide answers to single questions. Combining Thompson's answer to the question of presumption with Lichtman and Rohrer's answer to the question of competitiveness would produce confusion of a large magnitude since the answers were derived from different argumentative situations. What we should have done with respect to propositions to policy, and what we should now do with respect to propositions of judgement is to attempt to unravel the entire picture of argumentation from the perspective of the same argumentative situation. To do otherwise risks extending our confusion surrounding policy argument into the arena of non-policy argument.

Since guidelines for policy debate have been derived from the policy-making situation, guidelines for non-policy debate could probably be derived from examining other argumentative situations which normally involve propositions of judgement. One such situation concerns the role of argument in rhetoric, science, and philosophy. Although the analogy between rhetoric, science, and philosophy is not as well known or accepted as the analogy between policy argument and policy-making, it is just as reasonable. While directors of forensics, normally perceive arguments as occurring in the courtroom, the legislature, and other policy-making groups, we could just as well conceive of argument more broadly as it is involved in rhetoric, science and philosphy. This argumentative situation is very similar, if not identical, to what Zarefsky has called hypothesis testing.[38]

That science and philosophy are counterparts in the search for reliable knowledge is probably not very controversial. As a "way of knowing" science observes selected data and infers that what is true of the observed data is probably true of some similar but unobserved data. Philosophy reflects on claims in order to determine which are most consistent and reliable. That rhetoric performs a function similar to that of science and philosophy has not, until recently, been granted wide acceptance. As a matter of fact, many less than positive attitudes characteristically associated with rhetoric probably derive from a belief that rhetoric has nothing to do with the truth. Perelman wrote that "among the ancients, rhetoric appeared as the study of a technique for use by the common man impatient to arrive rapidly at conclusions, or to form an opinion, without first of all taking the trouble of a preliminary serious investigation."[39] Plato had Socrates state that "the rhetorician need not know the truth about things; he has only to discover some way of persuading the ignorant that he has more knowledge than those who know."[40] Rhetoric actually lost favor because it was not perceived as concerned with the truth.

Recently, however, scholars have come to view rhetoric as a "way of knowing." As early as 1967, Scott wrote that rhetoric "is a way of knowing; it is epistemic."[41] He argued that rhetorical knowledge is "socially constructed."[42] Rhetoric determines what is true for particular communities at particular times.

How are we able to accept the notion of "socially constructed" knowledge? After all, demagogues such as Hitler were able to "create acualities" for particular audiences at particular times. Does the acceptance of rhetorical knowledge imply acceptance of these ideas as knowledge? Questions such as these raise the practical disadvantages of accepting the notion of rhetorical knowledge. This position fails to take at least two arguments into account. First, no "way of knowing" is infallible. What today may be an accepted "scientific fact" may be refuted tomorrow. Through the first half of the 1970's, it was an established scientific fact that only one planet in the solar system--Saturn--had rings. Today we know this to be false.[43] Do we reject science because it does not produce knowledge which lasts forever? Of course not. Similarly we should not reject rhetoric for those reasons. Secondly, any "way of knowing" may be misused. It is quite clear that Hitler misused rhetoric, but, even science can be misused. It has been reliably documented, for instance, that the late Sir Cyril Burt, "faked the data in support of his theories about the relative importance of genetic as opposed to environmental factors in determining intelligence. He may have even invented fictitious collaborators to support his contention that 85 percent of an individual's performance in IQ tests was attributable to inherited characteristics."[44] Does this example prove that science is an unreliable "way of knowing"? Of course not. Just as the misuse of science is not a sign that it is not reliable, neither does the misuse of rhetoric prove that rhetoric is an unreliable "way of knowing."

In the case above we were lured into the acceptance of a false claim. Science employs rigorous procedures in order to reduce the chance of accepting such a false claim. Scientists must reveal their methods, employ the null hypothesis philosophy, along with a variety of other rigorous procedures in order to give their hypothesis a fair chance of being rejected. Brockriede has argued that "science may be viewed not as a way of determining the truth of statements or the validity of claims, but as an elaborate process of arguments that provides a more-or-less reliable adequate basis for making more-or-less reliable choices."[45] Similarly, philosophy employs rigor to avoid accepting a false claim. Once a philosopher advances a claim, s/he is expected to defend the claim against all arguments raised against it. In other words, they must welcome criticism of their position, and must defend it openly. This rigorous process of dialectic serves to prevent the acceptance of a false claim. In Johnston's language "there is, for instance, no philosophical way of advocating a philosophical doctrine except to produce arguments in its favor. And when arguments are brought to bear against a doctrine, if the proponents of the doctrine wish to continue to maintain it <u>as</u> a philosophical doctrine, they have no recourse except to argue in its defense."[46] If philosophy and science provide rigorous procedures in order to prevent the acceptance of a false claim, can similar procedures be discovered for rhetoric? Zarefsky answers that the argumentative perspective provides a counterpart in rhetoric for the rigors of science.[47] When rhetoric is viewed through the perspective of argument, the rhetor must risk confrontation.[48] As in philosophy, the claim of the rhetor must be subjected to criticism. If the claim survives, we may consider it to be tentatively reliable. Darnell recognizes the tentative nature of the claim writing that "I would grant the status of knowledge <u>to a proposition that has survived some confrontation</u>, recognizing that it may not survive future attacks and assuming that confidence increases with every test survived."[49] Just as

scientific knowledge becomes more reliable, a scientist's experimental processes are replicated, rhetorical knowledge becomes more reliable as it is repeatedly subjected to the risk confrontation. Darnell wrote that "whatever degree of validation (confirmation) a claim may receive from formal confrontation, however small, and so acquires over time an increasing value."[50] Additional rigor is provided through the argumentative perspective as presumption is stipulated to lie against the specfic proposition being argued[51] rather than naturally lying with the present system as in policy argument.[52] These rigors, inherent in the argumentative perspective, provide a method that rhetoric might avoid accepting a false claim. In fact, the rigors of science and philosophy may derive from the inherent use of argument in science and philosophy. Indeed Johnson has said that "argument would seem, then, to be ubiquitous in both philosophy and science."[53]

In this essay I have argued that guidelines for academic debate ought to be derived from argumentative situations. I have argued that this approach is superior to the rule-guided approach or to the approach which would combine arbitrary rules with situationally-derived guidelines. Hypothesis-testing has been examined as an example of real-world argumentative situation. Rhetoric, science, and philosophy examine propositions of judgement in a rigorous manner in order to determine the probably truth of claims. Academic debate could do worse than to model itself after such argumentative paradigms.

What we now need to do is to determine guidelines for debating propositions of judgement that can be derived from this argumentative situation. These guidelines ought to include but not be limited to the nature of presumption and burden of proof, the nature of inherency, the role of evidence, required levels of proof, the nature and function of the counterproposition, and the role of definitions. This is a monumental task which is beyond the scope of this paper.

NOTES

Mr. Trapp is Director of Forensics at the University of Northern Colorado. This paper is primarily a revision of two earlier papers. See "Non-policy Debate in Search of an Audience," Unpublished Paper presented at the Western Speech Communication Association Convention, San Francisco, California, November 24, 1976, and "The Counterproposition--to be Guided by Rules or by the Argumentative Situation," Unpublished Paper presented at the Western Speech Communication Association Convention, Phoenix, Arizona, November 23, 1977.

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[3]Wayne C. Booth, "The Scope of Rhetoric Today: A Polemical Excursion," in The Prospect of Rhetoric, ed. by Lloyd F. Bitzer and Edwin Black, (Englewood Cliffs: Prentice Hall, 1971), p. 114.

[4]C. Perelman and L. Olbrechts Tyteca, The New Rhetoric: A Treatise on Argumentation (Notre Dame: University of Notre Dame Press, 1969), p. 7.

[5]Allan J. Lichtman and Daniel M. Rohrer, "Beyond Presumption and Burden of Proof: New Rules for Policy Decisions," Issues, 8 (December, 1974), pp. 1-3 and 8-15.

[6]Bernard L. Brock, James W. Chesebro, John F. Cragan, and James F. Klumpp, Public Policy Decision-making: Systems Analysis and Comparative Advantages Debate (New York: Harper and Row, 1973).

[7]See for example James F. Klumpp, Bernard L. Brock, James W. Chesebro, and John F. Cragen, "Implications of a Systems Model of Analysis on Argumentation Theory," Journal of the American Forensic Association, 11 (Summer, 1974), pp. 1-7.

[8]See for instance George W. Ziegelmuller and Charles A. Dause, Argumentation: Inquiry and Advocacy (Englewood Cliffs, New Jersey, 1975), and Karen Rasmussen and Daniel DeStephen, "Building Cases," in Douglas Ehninger and Wayne Brockriede, Decision by Debate (2nd Ed., New York: Harper and Row, 1977).

[9]Booklet of Judges, Twenty-Eighth Annual National Debate Tournament, (1974).

[10]J. Robert Cox, "A Study of Judging Philosophies of the Participants of the National Debate Tournament," Journal of the American Forensic Association, 11 (1974), p. 62.

[11]Bill Balthrop, "Citizen, Legislator, and Bureaucrat as Evaluators of 'Competing Policy Systems,'" Unpublished Paper presented at the Speech Communication Association Convention, San Francisco, California, December 28, 1976.

[12]Balthrop, p. 5.

[13]Balthrop, p. 24.

[14]Charles Arthur Willard, "The Nature and Implications of the 'Policy Perspective' for the Evaluation of Oral Argument," Unpublished Paper presented at the Speech Communication Association Convention, San Francisco, California, December 12, 1976, p. 3.

[15]Fred Sanders, "Some Reflections on a 'General Theory of the Counterplan': or Let's Get Back to Sane Argument," Journal of the American Forensic Association, 13 (1977), p. 227.

[16]Sanders, p. 224.

[17]Sanders, p. 224.

[18]Tim A. Browning, "Reasoned Discourse or 'Tea Party,'" Unpublished Paper presented at the Western Speech Communication Association Convention, (November 23, 1976), David Thomas, "What Makes an Affirmative Case Topical?" The Forensic, 59 (1973), 16-18, Robert Trapp, "A Response to 'What Makes an Affirmative Case Topical?'" The Forensic, 60 (1975), p. 5-6, and A. T. Williams, "Do Debate Resolutions Mean Anything?", Unpublished Paper presented at the Southern Forensic Association.

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[20]William Reynolds, "Theory and Practice in Forensics," in Forensics as Communication: The Argumentative Perspective, ed. James H. Bath (Skokie, Illinois: National Textbook Company, 1975), p. 112.

[21]James J. Unger, in Booklet of Judges, Thirty-first Annual National Debate Tournament, (1977).

[22]Reynolds, p. 111.

[23]Sanders, p. 227.

[24]Sanders, p. 227.

[25]Allan J. Lichtman and Daniel M. Rohrer, "A General Theory of The Counterplan," Journal of the American Forensic Association, 12 (1975), pp. 70-79.

[26]Sanders, p. 227.

[27]Sanders, p. 224.

[28]Zarefsky, "The Role of Causal Argument . . ."

[29]David Zarefsky, "Argument as Hypothesis-testing," Unpublished Paper presented at the Speech Communication Association Convention, San Francisco, December 28, 1976.

[30]Ziegelmueller and Dause, pp. 144-145.

[31]For more information on the nature of the confusion regarding counterpropositions see Robert Trapp, "The Counterproposition--to be guided by Rules or by the Argumentative Situation," Unpublished Paper presented at the Western Speech Communication Association Convention, Phoenix, Arizona, November 23, 1977.

[32]James H. McBurney and Glen E. Mills, Argumentation and Debate: Techniques of a Free Society, Second Edition (New York: The MacMillian Company, 1964), p. 21.

[33]McBurney and Mills, p. 199.

[34]Wayne N. Thompson, Modern Argumentation and Debate: Principles and Practices (New York: Harper and Row, 1971), p. 91.

[35]Glen E. Mills, Reason in Controversy: Second Edition (Boston: Allyn and Bacon, 1968), p. 108.

36 Wayne N. Thompson, "The Effect of a Counterplan Upon the Burden of Proof," Central States Speech Journal, 13 (1962), pp. 247-252.

37 Allan J. Lichtman and Daniel M. Rohrer, "A General Theory of the Counterplan." Journal of the American Forensic Association, 12 (1975), pp. 70-79.

38 David Zarefsky, "Hypothesis-Testing....."

39 Perelman, p. 7.

40 Plato, "Gorgias," in The Dialogues of Plato, translated by Benjamin Jowette in Great Books of the Western World, Volume 7 (Chicago: Encyclopedia Britannica, Inc.) p. 258.

41 Robert L. Scott, "On Viewing Rhetoric as Epistemic," Central States Speech Journal, 18 (1967) p. 17.

42 Robert L. Scott, "On Viewing Rhetoric as Epistemic: Ten Years Later," Central States Speech Journal, 27 (1976), p. 261.

43 James L. Elliot, Edward Dunham, and Robert L. Mills, "Discovering the Rings of Uranus," Sky and Telescope, 53 (1977), p. 411.

44 APA Monitor, 7 (December, 1977), p. 1.

45 Donald K. Darnell and Wayne Brockriede, Persons Communicating (Englewood Cliffs, Prentice-Hall), p. 113.

46 Henry W. Johnstone, Jr., Philosophy and Argument (University Park, Pennsylvania: The Pennsylvania State University Press), p. 21.

47 Zarefsky, "Hypothesis-testing.....,", pp. 4-5

48 Darnell and Brockriede, pp. 107-108. Brockriede argues that the risk of confrontation is one of the characteristics of argument.

49 Darnell and Brockriede, p. 48.

50 Darnell and Brockriede, p. 46

[51] David Zarefsky, "A Reformulation of the Concept of Presumption," Unpublished paper presented at the Central States Speech Association Convention, Chicago, Illinois, April y, 1972. For similar statements also see Robert Trapp, "Non-Policy Debate in Search of an Audience," Unpublished paper presented at the Western Speech Communication Association Convention, San Franscio, California, November 24, 1976, and Zarefsky, "Argument as Hypothesis Testing."

[52] Douglas Ehninger and Wayne Brockriede, Decision by Debate (New York: Dodd, Mead and Company), pp. 83-84. On these pages Ehninger and Brockriede differentiate between natural and artificial presumption.

[53] Johnstone, p. 22.

PRESUMPTION, PRESUMPTION, WHEREFORE ART THOU PRESUMPTION?

The use of the hypothesis-testing paradigm to establish presumption in value-proposition debate

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> CASUISTRY 1a: the study of or the doctrine dealing with cases of conscience b: the reasoning about or resolution of questions of right or wrong in conduct through the application of religious or secular ethical principles and rules 2: equivocal or specious reasoning: false application of principles specifically in regard to law or morals (Webster's Third International Dictionary, p. 349)

In approaching the subject of presumption in value proposition debate, I have felt a bit presumptuous. To quell such modest feelings on my part, I would like to respond to several detractions before I go further:

1: Why is the paper so long? Both because I feel Tim Browning and the Desert Invitational should get their (?) money's worth, and because the subject invites volumnious treatment.

2: Why is the paper so short? Because the tournament director refused to spread epoxy on the symposium seats, and because I would like comment from both critic and debater before I expand on this theme.

3: Why do you have such a limited discussion of presumption and hypothesis-testing? Because I assume my audience either is already, or can become, familiar with the existing work on those topics.

4: Where are the pragmatic suggestions we can follow? I do believe my ideas are highly pragmatic, but, if desired, I would be happy to contribute an extended article on the subject to some deserving publication.

5: Why don't you give credit where credit is due? I try to, but many of the ideas on argumentation have become filtered through the noisesome mob that attribution was unfeasible.

6: Where did you dredge up your terminology? From expedience. Hence, "NDT debate" refers to traditional intercollegiate academic competitive debate; VPD refers to debate on propositions which focus on evaluative judgements; PPD refers to debate on questions of policy; hypothesis testing refers to the hypothesis-testing paradigm for decision-making in academic debate, as suggested by David Zarefsky. Although I realize such terms are more evaluative than I intend, I will stoop to such shorthand to avoid incomprehensible academic prattle where possible. I ask all my readers to uncode my ideas and language kindly.

7: Why don't you case this particular prattle and get on with your analysis? A point well taken.

Delivered at the Desert Argumentation Symposium, Tucson, Arizona, March 2, 1980.

The definition on the previous page is included as both a curiosity and a criteria. In endeavoring to argue according to definition one, particularly in a competitive framework, we all too often lapse into debate best described by definition B. I optimistically posit that such debate occurs more out of confusion than perversion. In perhaps no area of academic debate is there more confusion than the role of presumption.

Presumption in intercollegiate debate often seems to have moved to the endangered species list. The increasing acceptance of the comparative advantages case, the popularity of the "policy maker" decision paradigm and the character of recent intercollegiate debate resolutions have produced a situation where the call of "affirmative" after winning a coin flip becomes the standard, and critics wax apologetic for considering presumption or inherency a major issue in their judging philosophy. Academic debate moved in recent years from a position possibly to the right of the good prelate Whately, to a situation where "first negative debaters feel emasculated," according to one, predictably male, author, because their traditional territory has increasingly become part of "affirmativeland" (Pfau, 1979).

Traditionally, presumption has been defined as "the preoccupation of a piece of argumentative ground" (Brockreide, 1978, p. 135). Also traditionally, presumption favored the status quo, placing the burden of proof on the affirmative team. This assignment assumed stability was the rule and that the affirmative team should carry a special burden due to the risk of change involved in supporting the proposition. As Marsh, Newman and others observed, stability was perhaps even less to be expected than change, and the affirmative advocate, rather unrealistically, was "required to show that the world was going to Hell in a wheelbarrow" simply to overcome the negative "presumption" (Newman, 1970). The more recent tradition which grew out of this dissatisfaction, that of the "comparative advantage" case, simply requires the debaters to support their own assertions, regardless of side assignment. The comparative advantages approach, which either ignores presumption in the older sense, or exhumes it in case of a "tie," has gained acceptance in the 1970's.

Present practice typically combines the stock issues and the comparative advantage approaches in an often awkward marriage of convenience. Any of the stock issues <u>may</u> suddenly emerge as a decision-criteria, but usually the round involves weighing the probability of the affirmative team's claimed advantages against the risk and impact of the negative team's claimed disadvantages in a tally system which makes Olympic figure skating scoring look simple by comparison. This debate equation asks the critic to be a rational policy-maker, then insults that supposed rationality by pulling arguments, dropping arguments, sleazing in and out of arguments, accusing the other side of using tactics as shoddy as your own tactics, and traversing the tightrope of inconsistency. Presumption is relegated to a last-ditch appeal by a moist-eyed second negative for clemency in case of a "tie" or a total lack of evidence.

Is presumption, then, simply an arbitrary games rule used to determine speaking order and ties? Few would reject the idea of presumption entirely, if only because without presumption "the situation is chaotic or formless and hence not subject to reordering. The parties have nothing to argue about" (Brockreide, 1978, p. 135). But since as good a case for change may be made

as for stability, traditional assignment of presumption to one team seems arbitrary at best. In an activity reliant upon reason, it seems ironic to assign duties by means of a reasonless game rule, however. Without belaboring the issue further, is there yet another means by which to establish presumption?

David Zarefsky's reformulation of the concept of presumption in intercollegiate debate and his formulation of the hypothesis-testing decision-making paradigm for debate provided the opportunity for the beleaguered first negative speakers a chance to at least regain their gender identity. Zarefsky proposes "that we conceive of presumption as being, not in favor of maintaining the present system, but against the specific resolution being argued" (Zarefsky, 1972, p. 5). Based on this concept of presumption, Zarefsky suggests argumentation can be likened to the hypothesis testing used in scientific research. To be accepted, the proposition, which is now treated as the hypothesis, must be able to stand against all counter-argument; the choice is not between two policies but simply for or against the one course of action embodied in the proposition. The rationale for such "testing" is provided at length by Zarefsky in his 1976 paper, "Argument as hypothesis testing," and in more recent sources as well. Unfortunately, here I must be brief. The likeness of argument hypothesis-testing to scientific research is parallel: science attempts empirical verification, argumentation considers "the uncertain and contingent" (Zarefsky, 1972, p. 6). The particular value of the hypothesis-testing paradigm in rhetorical matters is "reliable knowledge" about topics which empirical methods cannot approach. In Zarefsky's words: " . . . placing presumption against the proposition is the means of providing for a rigorous test of the proposition" (Zarefsky, 1976, p. 5).

Hypothesis testing remains a rather radical paradigm for competitive debate. My sage colleague, Professor Scott Nobles, hazarded that all the hypothesis-testers could fit into a phone booth with room left over; while this opinion may not be literal, it is indicative. The radical image is curious, as hypothesis-testing is at heart a rather conservative paradigm, quite like debate in "the good old days." The paradigm is also uniquely suited to propositions of value or judgement. Before continuing with hypothesis testing, however, I shall establish what is indeed unique to propositions of value.

A distinction between value and policy debate is probably more convenient than realistic. Values and policy are interdependent to a degree, where each can be meaningless without the other. Values preceed policy formation, influence policy implementation and assess policy results. A value alone is an abstraction with minimal relevance; a given policy translates a value, or values, into a form which those of us who dwell below the ozone layer can appreciate. Is value debate, then, synonymous with policy debate? No. The argumentation theory, as is to be hoped with the theory a discipline evolves, applies irrespective of the categorization of the particular resolution, but the locus of the debate, and, hence, the focus of the argument shifts. In the case of value proposition debate, the focus is on idea, rather than action. VPD places the major emphasis of the debate on those ideas precedent to policy formation.

The American Heritage Dictionary defines value as "a principle, standard, or quality considered worthwhile or desirable" (1975, p. 1415). Most debaters advise me to consider contextual definitions; Dale Hample suggests values "are thought to typify both people and cultures by defining proper (or good or

acceptable) action and belief," value proposition debate would be an argument, the focus of which requires evaluation of the desirability of principles underlying belief or suggesting action (Hample, 1977). From a rational standpoint, values are both antecedent to and, for proper understanding of motive, superior to actions alone (NEA, 1976, p. 18). Tom Hollihan wrote recently "issues of value are fundamental to understanding the motives of human action and are at the very center of what debate should be about" (1980, p. 5). A number of papers and articles have suggested propositions of value for intercollegiate debate (see Matlon, 1978). The CEDA devision has used propositions of value for topics in recent years. Clearly, there is a much-warranted interest in value proposition debate.

Unfortunately, the vast majority of debaters seem ill-prepared to argue propositions of value. This year, both the CEDA rounds and the NDT rounds can think of little to argue on such philosophical issues as compulsory national service and the first amendment, respectively, besides the inevitable "nuclear holocaust" of innumerable disadvantages. The reason for this curious preference is not difficult to establish:

> Contemporary intercollegiate debaters, who are accustomed to debating the costs and benefits of policy alternatives using empirical evidence, are understandably confused when it comes to value arguments (Hollihan, 1980).

This is not to utterly condemn those who debate values entirely in terms of policies. In debate there is less right and wrong than appropriate and inappropriate. Attacking values by way of inferred policies is about as efficient as deciding whether or not you love someone by determining whether you have enough gas to get to a no-tell motel. (This last example involves less bionic leaps of inferred action than several CEDA rounds I have heard.) The importance of efficient argument selection becomes all the more obvious when the time constraints of the debate round are considered. The optimal approach to arguing propositions of value would use the most appropriate paradigm. Efficiency, effectiveness, relevance and theoretical validity are criteria for that selection.

It is naturally at this point that I wish to again consider hypothesis testing. While there are valid objections to the use of hypothesis testing for policy proposition debate, mostly on pragmatic grounds (see Lichtman and Rohrer, 1973), these concerns are less relevant to value proposition debate, as I will indicate below. Hypothesis testing seems to be the most appropriate paradigm for value proposition debating; I do use "seems" because not only can I not prophesy what new decision-models lurk in the coming years, but also because there may be exceptions revealed experientially or topically. Nevertheless, hypothesis testing seems well-suited to value proposition debate for five reasons.

First, hypothesis testing establishes presumption. As indicated above, presumption serves to establish duties and thus reduce some "chaos" by making debate possible. The traditional assignment of presumption, to the present system, is rarely possible in VPD. As Thomas Dye explained, "There are no societal values that are usually agreed upon, but only the values of specific groups and individuals, many of which are conflicting;" Dye suggests that even generally held precepts lack such generalization when considered in a hierarchy (1978, p. 31). Presumption can hardly be assigned to a non-existent

status quo. In some cases, the 1978-79 CEDA topic, for example, the proposition arguably is the status quo. Hypothesis testing provides reason to assign presumption. If the affirmative interpretation of the proposition is advanced, it must be supported; any one negative argument could remove that support without simultaneously having to offer an existing, and preferable, value position. The only decision facing the critic is whether or not the value indicated in the proposition is acceptable. This seems reasonable in that hypothesis testing identifies duties and permits debate without demanding a non-existent point of comparison to suddenly materialize. Arbitrariness in both "games" status quo and "games" presumption is thus avoided, and a model which can claim rigor in verification is employed. Attention is on desirability rather than existance.*

Second, hypothesis testing allows subtlety. "Not only do our social ends or values conflict, but being quite subtle and comlex, they are exceedingly difficult to specify" (Schultz, 1968, p. 38). Rather than require the negative to formulate a specific alternative, existant or not, the arguments need only be specifically against the proposition. Thus, instead of an artificial black-and-white contrast, shades of gray more suitable to the nuances of moral judgement may be employed. For example, the 1978-79 CEDA topic raised the issue of ethnocentric definitions of "human rights;" while few teams could argue the U.S. definition is bad, the definition may be undesirable for nationas with differing religious, social, political or economic criteria for desirability. Such a position is indeed tenuous as compared to a "human rights position" but very important in judging a value.

Third, hypothesis testing increases alternatives. The importance of considering all alternatives was indicated in the interdisciplinary Making Decisions.

> "Whenever one is confronted with a choice, one must decide which course to take. Often the choices are obvious. On the other hand, consider the situation in which a decision-maker has identified several choices and used all of his skill to select one of them, yet his choice failed because he overlooked another alternative that was critical to the final outcome. The importance of this step . . . identifying alternatives, cannot be stressed too strongly" (Hill, 1978, p. 23).

A frequent criticism of hypothesis testing is the quantity of positions which may be essayed. While consistency may have some appeal in policy comparison, it is unclear to me why only a single value may be considered, if indeed a value can be discreet. The advantage of considering all alternatives to aid in optimal decision-making seems preferable to unrealistic limitations on the number of ways in which a debater may think. Pre-guessing the "best," which usually means "successful," refutation seems less educational than discussing a variety of alternatives. By directing argument against a proposition, rather than for-and-against only two options, the subsets of the proposition and non-proposition, the debate is granted greater scope.

Fourth, hypothesis testing reasonably limits the topic. In view of the above statement, this statement may seem odd, but valid. Hypothesis testing has been criticized for encouraging such a multiplicity of arguments that the

*The 1979-80 CEDA teams treat the proposition largely as one of policy. Perhaps a discussion on the desirability rather than the probability of a draft would have been of more interest.

debate becomes both shallow and chaotic. While such a scenario is possible, particularly at the lips of chaotic debaters, a wise team would select those alternatives which best refute the proposition. It would be absurd, for example, to advocate a belief system despising children, perhaps evidenced by infant cannibalization, as an alternative to a belief system advocating a liberal arts education. Child hatred and cannibalization might be a "valid" alternative, but hardly a desirable one. Such an argument would be worse than useless in a time-restricted debate. Thus, a negative team, while able to pursue a variety of alternatives, would be restricted to arguments of quality in an effort to win the round. A negative team could issue exotic arguments, or "spread," but the affirmative would have a correspondingly light burden of refutation. Values also require too much analysis to permit such extravagance. While there exists a great number of possible policy proporals for a problem, the judgemental bases cannot be so minutely diverse. By this criteria, an affirmative team is limited to the substance, rather than the periphery, of the proposition. Both affirmative and negative teams would have to argue the substance of the topic, rather than its extreme scenarios.

Fifth, hypothesis testing does not politicize a topic. While the benefit here may be negligible to some, debaters of my acquaintance are intrigued by the prospect of being conservative one round and perhaps liberal the next five, rather than having ideology predetermined by side. The presumption against the proposition allows greater latitude. The affirmative may <u>be</u> the status quo, to the extent that such can be identified, or deviate. The negative is no longer limited solely to "defender of the present system" or "defender of the counterplan," but is freer to select her alternatives from less arbitrary political ideologies. In considering questions of value, it seems that such freedom is essential to rational consideration of the issues. Values which conflict, but yet deny the propositon, need not be abandoned because of a preordained position with no basis in actuality.

Sixth, hypothesis testing allows conditional consideration of issues. This observation also applies to policy debate, but is of particular benefit in value policy debate. Rather than try to attack a mythical "plan," with generic "value objections," the negative could analyze a number of possible scenarios the proposition could evolve. Any one value could lead to a number of actions, and an even greater number of reactions. Although, as indicated above, arguing policies on a value proposition is likely fruitless. However, some "value" propositions are but slightly reworded policy propositions, in which case policy objections may be the most valid counterargument. Such attacks may also deflate the charming, but impossibly idealistic, case. The important feature of such issues is that they not only allow exploration of alternatives, but that exploration may be done conditionally. The debaters need not predict with certainty, but only indicate the problems attendant with a certain value <u>if</u> that value is accepted. While at first glance this may seem to place a heavy burden on the affirmative, that team may choose to argue the conditional arguments, eliminate the "ifs" at the outset, or to argue only that the value should <u>not</u> be analyzed by hypothetical policies. The result would seem at least more pragmatic than current non-conditional argumentation. If a negative speaker has only one argumentative option, she must exploit it for maximum impact. Conditional arguments allow a variety of scenarios, so that one need not have to be the "killer." In the "real world," a variety of results may be occasioned by one shift in values, why not in the "debate world?" Conditionality seems far more attractive than the single argument if that single issue evolves into a nuclear holocaust, starvation, revolt, melted polar ice caps, overpopulation and ice-nine simultaneously!

Seventh, hypothesis testing encourages analysis. By focusing attention on proposition rather than attendant policies, the value is inescapable. The teams must be able to provide a resonable rationale for their arguments; they cannot simply verify with empirical evidence, but they must justify their claims with analysis (Hollihan, 1980). Ray McKerrow argues:

> The pragmatic nature of justification suggests that a listener has been good reason to accept a claim and act on its behalf. This justification is not simply a product of given reasons, but of offering reasons which will satisfy the hearer that adherence is an acceptable choice (1977, p. 135).

Statements of fact, conclusionary opinion evidence, and trivial analysis are insufficient to determine the desirability of values. It may be self-evident that government dependence yails economic woes, but not so evident that the individual psyche is harmed. Analysis, which should be in every debate, is crucial in debating values with the hypothesis-testing paradigm, as the teams are less able to take refuge in exotic policy interpretations and ignore the value-issues.

Eighth, hypothesis testing can encourage audience adaptation. In the absnece of clear position assignment due to presumption being against the resolution rather than in favor of the existing system, each team has greater latitude in specific argument selection. Although a generic defense is mandated, the particulars of that defense can be altered to suit the perception of the critic or audience. As values are idiocentric, the manner in which they are argued becomes quite strategic. While the typical "objective" coach/judge may not be highly reactive, the nature of value propositions suggests adaptation to a general audience is essential. Hypothesis testing may thus encourage adaptation in-round, but provide a style more suitable, and adaptable, to a lay audience. The greater scope for selection permits more appropriate argument use according to situation.

Ninth, hypothesis testing reduces temporal fix. A paradigm which advocates comparison of options, or analysis of the present, automatically fixes the debate in time. Value positions should not be lined up in a single-elimination, now-or-never schema unless the issues involved are truly emphemeral. Values worth debating can usually be assumed to have more than such minimal longevity. It seems curious to debate a judgement only "for this round only" when moral, ideological and evaluative issues are very much part of an ethical continuum. To place such values as freedom, obligation to nation, or value of life in a present time frame only places the concepts in a vacuum. Hypothesis testing can quite properly ignore such artificial constraints. If the proposition is the crux of the test, no time context is mandated. All arguments remain conditional; there is nothing "adopted" at the end of the round, only considered desirable, so there is no advantage to haste, and no reason for "right now" argumentation alone.

And finally, tenth, hypothesis testing permits experimentation with speaker duties. As value propositions do not advance a specific policy for consideration, the usual division of labor into "case" and "plan" is not needed. Despite the reluctance of many debaters to abandon their accustomed roles, and the uses to which those roles may be put, it is quite conceivable that variations may prove beneficial. In my own 1976 paper I outlined a variety of options for both affirmative and negative teams; more have been developed in the intervening years. The advantage of hypothesis testing for value debate is the freedom in

issue selection, but simultaneous topic restriction, involved. Each team is thus able to experiment in the division of labor, without risking a bizarre or "sandbagged" case which could render the experiment a disaster. For example, the negative could argue against the proposition by way of a variety of conditional scenarios; as long as the scenarios were indeed against the proposition, to the detriment of the negative, without risking a loss on the ignored arguments. Although the above example may not seem particularily compelling, in three separate value proposition rounds I observed this year, affirmative teams capitalized on the possibility of "redefinition: to avoid valid arguments. The debates were poor, the negatives demoralized, and proposition superflous.

Hypothesis testing is perhaps the sole debate paradigm suited to all types of propositions. Most important in the paradigm is the consideration of presumption, the argumentative choices permitted the debaters, and the focus upon essential issues. However, the mere adoption of a paradigm does not transform an activity. The reasons for adoption indicated above are by nor means certain. Misinterpretation, laziness, fadishness and academic rigidity are but a few ways any theoretical model can be destroyed. Hypothesis testing as a paradigm also seems uniquely suited to the special emphases of propositions of value. I will not flatter myself that the debate community will immediately become enamoured of hypothesis testing for values. I do hope, however, that the concept of presumption as "reformulated" by Zarefsky will be recognized as useful and appropriate to value proposition debate; the additional reasons for using the paradigm could be viewed as "add ons," to supplement the presumption rationale.

Paralleling, not coincidentally, the "liberalization" of NDT debate has been the growth of a desire among coaches and students to return debate the "the good old days." Theoretical shifts, broad topics, the rapid delivery "spread" techniques and somewhat exclusive emphasis on documentation alientated. One result of this alienation has been the creation of CEDA debate association. In less than a decade, CEDA has gone through a name change, a change from policy to value propositions and has expanded across the nation. Presently, CEDA is the largest forum for the consideration of value propositions in competitive intercollegiate debate.

CEDA debate has possibly expanded practice faster than theory. The delivery is faster and more jargon-laden; increased reliance is placed upon disadvantages, or value objections, to win the round; evidence seems to substitute for analysis; and values often do not receive argument. The rise of "uncommunicative" habits mades CEDA a less distinct and less attractive alternative to NDT debate.

CEDA debate must evolve argumentation theory. Value proposition debate cannot rely on piecemeal pilfering from policy debate theory. When relevant ideas, such as "value manifestations," arise, such issues should not be bludegeoned into plan attacks. Rather then shirking paradigms because of the"NDT" onus they may carry, CEDA debaters need to use these paradigms and create new paradigms to advance their own argumentative needs. Somehow CEDA debate seems so anxious not to be "NDT" that the baby is thrown out with the bathwater and debaters are given platitudes rather than guidance. The result is a prardigmatic vacuum which almost forces debaters to follow what is known, namely, NDT debate. A number of articles and papers have heralded value proposition debate as beneficial. The number of present practitioners of CEDA debate indicate the desire for an alternative. Matlon, Wenzel, Hollihan and, of course, myself have been among those who have endeavored pragmatic guidance in value debate; Zarefsky is certainly among those who have indicated theroetical guidance. The papers at this symposium make a further contribution to theory. I urge both critic and debaters to expand the consideration of values in all debate, to expand not only the theory of argument, but

test ethics and morality. Hill concludes

> ...the ethically sensitive person is wary of articiciality or arbitrary limitations on the range of issues to be brought under scrutiny from the moral point of view. Ethical decision-making may not be the be-all and end-all of human decision-making. Yet if it is not, what is? (1978,p. 55)

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ADVOCACY AND VALUES

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During this decade the forensic community has experienced growing interest in non-policy debate propositions. The number of tournaments hosting debate on the Cross-Examination Debate Association topic, typically a value proposition, has risen from seven in 1971-72 to over 100 this year. The expansion of non-policy debating has spread to Pi Kappa Delta with at least two province tournaments offering a CEDA division this spring and a CEDA style debate division to be included at the next National Convention.

Despite the increase in non-policy debating, little has been written to offer direction to the participants in the activity. With respect to value propositions, Wenzel and Hample declared that "scholars in argumentation have provided little guidance for the person caught up in arguing about them."[1] The development of guidelines for debating topics of value has just begun.[2] This article will offer further recommendations for analysis of value propositions.

It is important to distinguish between propositions of intrinsic and extrinsic value. The proposition "Faith is a virtue" suggests that something is good in itself or for its own sake, it is intrinsically valuable. Extrinsic value may be typified by the resolution "The continued development of nuclear power is desirable." In such a debate, nuclear power will likely be valued, not for itself, but because it is instrumental to something else that is desired. Propositions that entail extrinsic value are most common in academic debate.

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A debater confronting a value proposition need not begin in a state of confusion. Since value propositions are intricately woven into policy decisions,[3] comparable issue analysis may be appropriate. The traditional policy stock issues of ill, blame, cure and cost[4] have an application and are considered in the literature on value theory. The place of these stock issues will now be detailed.

According to some philosophers, questions of value occur when problems exist. John Dewey insists that "desires arise only when there is something the matter, when there is some trouble in an existing situation in which we find ourselves."[5] The same reasoning was adopted by William Workmeister as he concluded that "when there is 'trouble,' some 'need,' some 'privation' or 'conflict,' then there is the desire to change the existing conditions, and there is valuation."[6] The extrinsic value of an object or behavior may be based on its resolution of these troubles and may vary with the intensity of the needs. The value of nuclear power is related to the projected needs for power generation. This approach closely parallels the stock issue of <u>ill</u>.

If problems exist, then it is certainly critical that they not be the result of the object of valuation, the <u>blame</u> must rest elsewhere. One argument for the value of compulsory national service is that it offers a solution for youth unemployment. It may be vital for the advocate to link the failure to solve unemployment to non-compulsory or voluntary approaches to the issue. Even descriptions of the inadequacy of certain voluntary programs does not prove that voluntarism is inherently incapable of providing meaningful employment, the link must reach to the nature of voluntarism. The value of an entity may increase if its alternatives are to blame for recognized problems.

The next logical burden for the advocate is to establish the ability of the object to cure the trouble. The proverbial expression "If wishes were horses, beggars would ride" illustrates the necessity of searching beyond appearance and apprasing the real consequences of policies or objects. Productive debate cannot concern mere whims and dreams.

The relevance of examining the real ability to produce results is well established in the literature on values. C.I. Lewis argued:

> But with respect to those conditions which are beyond practical human control, the value-potentialities of the object will be judged within the limits of all pertinent facts known to be actual or probable. That is, it will be a judgment of the value which is possible to realize from this object under those conditions which we cannot change, and will be relative to the probability of such conditions in the light of all available and pertinent data.[7]

Other philosophers share this important insight with Lewis. A.H. Johnson reached a similar conclusion that an entity only has value "when it is functioning so as to bring about an actual end (result)."[8] If there is no evidence that the item under consideration can serve as a means to accepted end-states of existence, then the advocate cannot claim that the item possesses extrinsic value. "Otherwise," according to Dewey, "there is no genuine desire but an idle fantasy, a futile wish."[9]

Any activity that is capable of producing valuable results may simultaneously generate undesirable by-products. The costs of securing an objective must be compared with the value realized. This stage of value analysis was explained by Nicholas Rescher:

> In the case of any value we can make a kind of balance sheet of () the balance of benefits - i.e., advantages over disadvantages - inherent in

its realization, as contrasted with (2) the various sorts of costs that would be entailed by the endeavor to bring this realization about.[10] As Rescher indicates, not only is it vital to determine whether there are costs to achieving an objective, but the advocate must also judge the significance of those costs. Do the health consequences of the production of nuclear power reduce the value of the generated energy? When balanced with each other, do the costs diminish the projected value? "A survey of what takes place in any deliberative activity," concludes Dewey, " provides an affirmative answer to the question."[11] The concept of costs versus benefits, of advantages versus disadvantages, is hardly foreign to the student experienced only in policy debate.

The traditional stock issues have a sound foundation in the literature on values. This does not mean that either the style or arguments in a debate on a proposition of value must duplicate policy debate. Use of the stock issues is designed merely to indicate potential areas of controversy, possible grounds for argument in a value debate. If any of these issues is found to be universally applicable to debating questions of value, then it may become part of the standard burden of proof for an affirmative team. Such decisions may only be made after the forensic community has greater experience with these topics.

NOTES

[1]Joseph W. Wenzel and Dale J. Hample, "Categories and Dimensions of Value Propositions: Exploratory Studies," Journal of the American Forensic Association, 11, (Winter, 1975), 121.

[2]Ronald J. Matlon, "Debating Propositions of Value," Journal of the American Forensic Association, 14, (Spring, 1978), 194-204.

[3]Matlon, 195.

[4]Glen E. Mills, Reason in Controversy (Boston: Allyn & Bacon, 1964), p. 66.

[5]John Dewey, "Theory of Valuation," in Otto Neurath, ed., Foundations of the Unity of Science (Chicago: University of Chicago Press, 1970), p. 413.

[6]William H. Werkmeister, Historical Spectrum of Value Theories (Lincoln, Neb.: Johnsen Publishing, 1973), p. 58.

[7]Clarence I. Lewis, An Analysis of Knowledge and Valuation (La Salle, Ill.: Open Court Publishing, 1946), p. 41.

[8]Allison H. Johnson, Modes of Value (New York: Philosophical Library, 1978), p. 90.

[9]Dewey, p. 415.

[10]Nicholas Rescher, Introduction to Value Theory (Englewood Cliffs, NJ: Prentice-Hall, 1969), p. 133.

[11]Dewey, p. 405.

VALUE PROPOSITION DEBATE: A PRAGMATIC APPROACH

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In 1797, Daniel Webster and his fellow undergraduates doubtless enthralled Dartmouth audiences with debates on such subjects as: Is celibacy justifiable? Are widows better than old maids? or Is European despotism justifiable? Value proposition debate was much favored and practiced by the gentlemen of Harvard, Yale and other noble institutions well into the twentieth century. However, whether due to The War, Lost Innocence, the emergence of the interscholastic tournament or simple ennui, emphasis was gradually shifted to propositions of policy and value proposition debate became a disfavored bridesmaid. Value propositions were reserved for audience and classroom debate; policy propositions were featured in competition (Baird, 1950, p. 20; Faules and Rieke, 1968).

Value proposition debate, however, is far from extinct. In fact the increasing popularity of value propositions on the ballot for the national collegiate debate resolution, as well as the increasing incidence of value topic divisions, such as those sponsored by CEDA, at tournaments previously committed wholly to policy debate, suggests the bridesmaid may yet make it to the alter. In view of the increased interest in value proposition debate, I will offer pragmatic suggestions for those who venture into unknown territory.

Value proposition debate centers around considerations of belief, rather than action. As McBurney states:

> A problem of value is essentially one of appraisal... (the questions attempt to assess the goodness or badness, rightness or wrongness, merit or demerit of persons or things (1950, p. 21).

Delivered at WYOTANA Graduate Communication Conference
Missoula, Montana, June, 1977.

Ask a novice policy debater for the definition of value proposition debate, or VPD, and he will most likely respond "Debate without a plan." This view is echoed in debate texts:

> The proposition of value...asserts an evaluation of an idea, a person or a policy, (but) does not suggest courses of action to be taken as a consequence (Moulton, 1966, p. 58).

Examples of value propositions might include: Capital punishment is unjustifiable; Education has failed its mission; Rights given to accused persons unduly hinder law enforcement agencies; Murder is a punishable offense or Woman is man's equal. In contrast, policy propositions on these same topics could state: Capital punishment should be abolished; The Federal government should significantly improve the quality of education; The right to pre-indictment counsel should be abolished; John Smith murdered and should hang or The ERA should be adopted. Subject, specificity and direction are topic-specific; considerations of value or policy only direct the focus of the argumentation.

Perhaps the abstract nature of many value topics have led theorists to consign VPD to television talk shows (Wood, 1975, p. 11), philosophy (Thompson, 1971, p. 19) or "Bull sessions" (Wood, p. 11). Some authors dismiss VPD as "rare" (Moulton, p. 59), or confuse VPD with debates on fact or definitions (Baird, p. 23; McBurney, p. 27; Ehninger and Brockriede, 1968, p. 222). If argumentation strategies are discussed, the discussion is oriented to the goals-criteria approach exclusively (McBurney, p. 22; Wood, p. 12; Ehninger, p. 221).

Such limitations on VPD are silly. Debate, be it policy or value, cannot proceed without consideration of values: the sanctity of human life, the desirability of efficiency, equity, the need to save money are integral to debate. Further, academic debate increasingly argues such values: When is it no longer justifiable to save a life? What degree of risk makes a policy unacceptable? Are domestic lives inherently more valuable than foreign lives?

And VPD implies policy: Could the value to held without societal cost? Societal disruption? What policies would have to change if the value base were altered?

There is no such thing as "pure" value or "pure" policy debate in practice, even if supportable in theory. Debate is a mutable process that changes perspectives on counterplans, turnarounds, topicality and burden of proof without undue tears. Therefore, although the degree of crossover between values and policy hinges upon the individuals debating, as well as the individual debate, consideration of VPD strategies is appropriate for all debaters, thus, I make the following suggestions.

Topicality

In policy debate topicality covers such issues as extratopicality, subtopicality or antitopicality; the basic issue is whether the affirmative case can properly be considered under the resolution. In value debate, without a plan to serve as a validation of topicality, the affirmative case stands as the sole interpretation of the resolution. It is, therefore, not a partial issue. If the Negative succeeds in winning topicality there is a total victory. It is winner-takes-all, definitely.

Specific strategies for arguing this all-important issue include use of definitions, parameters, and common usage. In a goals-criteria case, "Value extrapolation" may be used. This extrapolation simply asks if the single case under consideration would be sufficient to adopt the resolutional value as a whole, thus considering the individual case as either symbol or metaphor for the entire topic. The best Affirmative solution, of course, is to offer a topical case.

Affirmative Strategies

Once the question of topicality is decided, the affirmative team has several

options as regards case structure. As the affirmative strategy relies in large part upon the negative response, the wise affirmative team will indulge in preclusive planning. Six basic techniques are: Goals; justification; piecemeal indictment; philosophical indictment; qualitative indictment and the combination approach.

Goals

Like topicality, goals-criteria tend to be an all or nothing proposition. The Affirmative sets criteria, then attempts to demonstrate the failure of the status quo to meet those criteria (McBurney, p. 22). The criteria may be derived from goals of the current system or fabricated from other sources. The Negative argues the status quo can or is meeting the goal, rejects the criteria or offers superior criteria for the evaluation of the present system.

Within this simple scheme lurk opportunities for deviation. The failures of the status quo may be qualitative, quantitative, philosophical or a combination of ills. The failure may, depending on the skill of the Affirmative, be identified as past, present or future. The criteria may come from God or some other non-ascertainable source. And especially important, the goal may be so resemble the topic that acknowledging the goal may effectively undermine further negative argumentation. This is quite different from policy debate, where the affirmative must sustain the greater burden of supporting the goal both with the need area and the advantage area.

Justification

At the most facile level of justification, the affirming team requests the Negative to justify the existence of a current policy in particular, or the whole system in general, in effect reversing the traditional notion of burden of proof. By indicting some single aspect of the present system, and then demanding, as harm has been shown, that the Negative not merely refute the demonstrated harm, but

support the rationale for the entire belief system operant maximizes slight significance and forces the Negative to the defensive on both what he defends and why he defends it. The strategy is based in the assumption that for a value to be acceptable, the system must support it without exception; one inequity damns the whole. However, even first negative speakers are usually not so foolish as to discard presumption at the outset, this tactic is rarely 100% effective.

The justification technique exemplies the judgemental style of VPD. The emphasis is upon philosophy, rather than evidence. While many debaters feel naked without their stock of back-up cards, this VPD tactic places a premium upon fresh and logical thinking if done well. When faced with a creative exploration of the underpinings of society, the Negative faces large temptation to claim a lack of affirmative significance and punt.

Piecemeal Indictment

A kissing cousin to the hypothesis-testing view in policy debate, the Affirmative does not focus on a single line of attack, but rather lists harms, goals and other detractions from the viability of the present system. The mix and match case that results is often highly inconsistent, but differs from the standard alternative justification case in that it is not hampered by multiple plans.

The Negative must follow two proceedures: first, the divergent areas must be refuted as countered, but, also, particular care must be taken to point out affirmative contradiction, and to simultaneously avoid contradiction on the negative.

Philosophical Justification

Even more ephemeral than the justification case, with philosophical justification all arguments and issues operate in the abstract. Philosophy only is advanced by the Affirmative, only counter philosophy is expected. Evidence, unless it pertains to the abstractions, is superfluous.

When confronted with a philosophical justification case, the Negative may argue on a philosophical plane; or, it may argue in concrete terms and run the risk of having an apples and oranges debate, with the critic as fruit selector. The Negative may also argue issue realizations, as discussed below.

Qualitative Indictment

Qualitative indictment bases significance on examples, rather than on statistics. The focus lies in the exception to the rule, rather than in the validity of the rule itself. This is best effected if the significance of the harm area is low in incidence, but the examples are very graphic; cases concerning small children are easily argued in this manner.

To combat this tactic, the Negative must try to expand beyond the idiosyncratic exception, or else present counter examples. In certain cases, where the examples are well-known, they may be individually refutable.

Combination

A combination approach simply combines the above approaches, yet avoids contradictions and gaps in reasoning. The Negative, in addition to using other appropriate strategies, exploits any added case flaws. Both teams run a severe risk of overextension; too many arguments are particularly horrible when based upon philosophical considerations. Both Affirmative and Negative stands to lose when a debate becomes verbose or muddled.

As can be deduced from the strategies outlined above, the stock issues of inherency and significance are present in VPD. Indeed, those are of prime importance as there is no plan area to take some of the burden of the attacks. It is in the best interests of the Affirmative to plan their case so as to distribute anticipated attacks in the manner most easily refuted. Of course, there are no rules forcing the Negative to sit still while the Affirmative schemes,

therefore, we must also consider tactics for the staunch defenders of the status quo.

Negative Strategies

Instead of the usual policy debate strategy of attacking the case in the first negative constructive speech, and the plan in the second negative constructive speech, the lack of an affirmative proposal denies this division of labor. Without a clear argumentative strategy, a second negative speaker reiterates his partner's case attacks, thus wasting constructive time and pre-empting the first negative rebuttal, and bores the judge. Sadly, this duplicative tactic is usual in VPD.

Rather than time wasting redundancy, the Negative should consider the following options: Division, status quo defense, value manifestation attacks, combination refutation or a countercase. With planning, the second speaker can be an asset instead of a liability. In policy debate the negative duties are predetermined; VPD maximizes the potential of the negative by permitting discretion in assuming speaker duties.

Division

Division of duties is based on "straight" refutation of the affirmative case, but allows the speakers to divide the case, or the issues, into two parts. Neither speaker infringes upon the territory taken by the other until the second negative rebuttal. The technique is very workable, especially after the team has had practice at respecting each other's areas, allows several options as regards case division and maximizes time. The strategy can be embarrassing, however, if a clever second affirmative pre-empts further attacks in his constructive speech.

Status Quo Defense

This strategy is particularly attractive if the first speaker is a novice and the second speaker is more skilled. The first speaker does a song and dance

routine about the value related merits of the status quo, leaving direct refutation of the case to his partner. Not only is this independent defense strategy particularly good against a justification, goal or qualification affirmative case, but inclusion of abstract arguments fits it for philosophical refutation as well. By building a strong negative case without direct reference to the Affirmative indictments, the Negative forces the Affirmative away from their affirmative case and towards negative ground. A second affirmative speaker who must refute the merits of the status quo as a whole is at far more of a disadvantage than if he were arguing his own case; this technique further allows the second negative speaker to issue his case attacks just prior to rebuttals, which saddles the Affirmative with a large burden of refutation following the negative block.

A well-prepared Affirmative thwarts such tactics by judicious construction of the affirmative case, refuting or dismissing the negative case and extending the affirmative case during constructives regardless of negative distractions. Most importantly, the Affirmative must place their own case in a position strong enough to overcome the persuasive appeal of the negative praise of present policies.

Value Manifestations

If policy debate is unable to avoid arguments on questions of value, then VPD is similarly unable to avoid questions of policy. However, because there is no plan offered in VPD, terms like "value manifestation" or "issue realization" must be applied.

The "manifestation" attack strategy differs from the usual series of plan objections in that there is no explicit plan, only an inferred plan. This presents an unusual option: if the Negative has sufficient skill, the Affirmative can be indicted for disadvantages resulting from all possible plans, or, in keeping with the tentative nature of the tactic, all plan possibilities. While a careless Negative could spread himself too thin, or delve into tangential areas

easily dismissed as non-applicable, assaulting a variety of plan premises, or value manifestations, effectively thwarts acceptance of the value. At the least the Affirmative, incongrously, is forced to defend a policy.

Not only do value manifestations offer a novel avenue of attack on a VPD case, but inserting pragmatic considerations into a round may be the most effective counter for a highly abstract affirmative case. The strategy could conceivably be accused of pulling inappropriate arguments into VPD. However, inasmuch as there can be no clear demarcation between values and policy, and because there are policies indicated by every value, value manifestations offer an acceptable means of orienting VPD to the real world.

Combination

As with the combination affirmative, this tactic needs little explanation. Coverage could well be a problem for both teams and consistency must be considered. It would be ironic to have a non-plan plan objection contradict a non-case case while direct refutation is let slide. The above strategies and their combination should be undertaken with caution, and care must be taken to explain to both critic and opponents precisely what you are presenting, and what you hope will be the impact of that presentation.

Countercase

The possibility of a countercase strategy both intrigues and confuses. What happens to the issue of topicality? Would a specific value manifestation be included as a part of the counter case? Would the restricted scope of the topic reduce the need for competitiveness?

While the plausibility of a countercase in VPD now, may seem as remote as a counterplan in policy debate ten years ago, two possibilities suggest themselves: countercase and conditional countercase.

The countercase would have to admit the harm indicated by the Affirmative, but would trace the cause to alternate sources. The causality or the rationale

behind the countercase must in no way fall under the resolution; as with a counterplan, the counter case cannot be topical or else both teams would support adoption of the resolution and the debate would immediately go to the Affirmative. A conditional counter case would also argue alternative justification, but would not sacrifice the negative tactic of reducing the affirmative significance. Similarily, the conditional argument would have to avoid topicality. Rather than arguing competitiveness in the plan or advantage area, the case and the countercase would have to be competitive in the area of significance. The best case, therefore, would be the one that offered the most accurate explanation of the harm. Conceivably, comparison between case and countercase, both as regards competitiveness and overall credibility, could be argued from philosophy or value manifestation. However, such argumentation could only deteriorate into speculation of the angels on a pin head variety.

This paper should serve as a starting point, on both a pragmatic and a theoretical level, for the coach or a practitioner of VPD. Of more interest to communication theorists, however, is the emphasis that VPD places upon debate as a function of attitude formation, rather than a comparison of the results of attitude systems. After all, whether the subject was spinsters, despotism or celibacy, when Daniel Webster debated, people listened.

Suggested Reading

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